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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SALINAS DIVISION

UNITED STATES OF AMERICA,) Criminal No.: CR-07-00518-HRL
Plaintiff,) STIPULATION AND [PROPOSED]
vs.) ORDER EXCLUDING TIME
WESLEY A. FREEMAN,)
Defendant.)

On February 4, 2008, the parties in this case appeared before the Court for status hearing.

The parties jointly requested that the case be continued from February 4, 2008, until June 2, 2008 at 9:30 a.m. in order for defendant's counsel and the Government to discuss a possible resolution of the case. In addition, the parties requested an exclusion of time under the Speedy Trial Act from February 4, 2008 to June 2, 2008 at 9:30 a.m. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need to research and arrange for participation in a gun safety course.

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: 5 Feb. 2008

/s/
AMY J. NELSON
Special Assistant United States Attorney

DATED: 6 Feb. 2008

/s/
GEOFFREY M. BUCKLES
Counsel for FREEMAN

ORDER

Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded under the Speedy Trial Act from February 4, 2008 to June 2, 2008. The Court finds, based on the aforementioned reasons, that the ends of justice are served by granting the requested continuance and outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant the requested continuance would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

SO ORDERED.

DATED: _____

RICHARD SEEBORG
United States District Judge